

Touro University  
Resolution Agreement  
OCR Case Number 09-22-2081

In order to resolve the findings of non-compliance and compliance concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the investigation of the above-referenced complaint filed against Touro University (University) pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation, 34 C.F.R. Part 104, the University agrees to take the actions in this Resolution Agreement (Agreement).

I. Written Guidance and Training:

- a. Written Guidance: The University will issue a written guidance memorandum to all University administrators, faculty, and staff who are responsible for investigating complaints of disability discrimination. The written guidance will provide an overview of the University's disability complaint and investigation procedures and the University's obligations under Section 504 regarding complaints of disability discrimination.

- i. Reporting Requirements:

- 1. By September 1, 2023, the University will submit a draft of the guidance memorandum described in Agreement Subsection I(a) for OCR review and approval.
    - 2. By October 27, 2023, the University will finalize and issue the guidance memorandum described in Agreement Subsection I(a) within 60 days of OCR's approval.

- b. Training: The University will facilitate training for all University administrators, faculty, and staff who are responsible for investigating complaints of disability discrimination. The training will provide an overview of the University's disability complaint and investigation procedures and the University's obligations under Section 504 regarding complaints of disability discrimination.

- i. Reporting Requirements:

- 1. By September 1, 2023, the University will submit the training materials, and title and name of the proposed trainer(s) for the training described in Agreement Subsection I(b) for OCR review and approval.
    - 2. By September 29, 2023, the University will provide the training described in Agreement Subsection I(b) within 60 days of OCR's approval.

3. Within 15 days of providing the training described in Agreement Subsection I(b) the University will provide OCR with the following documentation: the dates of the training, the title and name of the trainer(s), a copy of any materials used or distributed during the training, sign-in sheets evidencing the University employees who attended the training, a list of the required University employees who did not attend, and a plan for providing a follow-up training for those employees who did not attend, as needed.

II. Individual Student Remedies:

- a. The University will rescind the [redacted content], 2021, letter dismissing the Complainant from the [redacted content] Program and remove related documentation from the Complainant's academic file, including the Complainant's failing final evaluation for [redacted content] (dated [redacted content], 2021 to [redacted content], 2021).
  - i. Reporting Requirements:
    1. By September 29, 2023, the University will submit for OCR approval a letter to the Complainant rescinding the [redacted content], 2021, dismissal letter and stating the University has removed related documentation from the Complainant's file.
    2. By October 27, 2023, the University will send the OCR-approved revised file to the Complainant.
- b. The University will send the Complainant a letter stating the University will waive Complainant's [redacted content] course requirement and bestow upon the Complainant the Doctor of [redacted content] degree (Letter). This Letter will include a statement that for the degree to be conferred, the Complainant must fill out an application for graduation within 90 days of the date of the Letter. The Letter will explain that this can be accomplished either by the Complainant fully completing and returning the University Graduation Application to the specified University personnel or completing the University Graduation Application on the Complainant's TouroOne portal. Instructions for each of these processes will be described in detail in the Letter.
  - i. Reporting Requirements:
    1. By September 29, 2023, the University will submit a draft of the Letter to the Complainant described in Agreement Subsection II(b) for OCR review and approval.

2. By October 27, 2023, the University will finalize and issue the Letter to the Complainant described in Agreement Subsection II(b) within 15 days of OCR's approval.
3. Within 15 days of the issuance of the Letter the University will provide to OCR a copy of the Letter sent to the Complainant.
4. Upon reception of the online (TouroOne Portal) or paper Graduation Application, the Office of the Registrar will process the degree conferral and order the diploma. The Complainant will receive the diploma in the mail within 8 weeks of degree conferral. If proof of graduation is required during that time, the Complainant may request an Official Transcript that will include the degree conferred and the date of the conferral.
5. Within 15 days of the University's reception of the Complainant's Graduation Application, the University will provide to OCR a copy of the Complainant's Graduation Application and documentation of the University's conferral of the Complainant's degree.

By signing this agreement, the University agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. During the monitoring of the resolution agreement, OCR may visit the University, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of the resolution agreement.

The University understands that OCR will not close the monitoring of the agreement until such time as OCR determines the University is in compliance with the terms of the agreement and the statute and regulation at issue in the case. The University understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the resolution agreement and the applicable statute and regulation. Before initiating such proceedings, OCR will give the University written notice of the alleged breach and 60 calendar days to cure the alleged breach.

/s/

Newman Hoffman, Interim CEO

08/08/2023

Date